

REFERENCE TITLE: state agencies; summary rule making

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# **SB 1013**

Introduced by  
Senator Tibshraeny

AN ACT

AMENDING SECTION 41-1027, ARIZONA REVISED STATUTES; RELATING TO SUMMARY RULE  
MAKING BY STATE AGENCIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 41-1027, Arizona Revised Statutes, is amended to  
3 read:

4           41-1027. Summary rule making

5       A. An agency may use the summary rule making procedure set forth in  
6 this section in place of the rule making procedure set forth in sections  
7 41-1021 through 41-1024 for the ~~following actions~~.

8           ~~1. Repeals of rules made obsolete by repeal or supersession of an  
9 agency's statutory authority.~~

10          ~~2.~~ making, amendment and repeal of rules that repeat verbatim existing  
11 statutory authority granted to the agency.

12          B. An agency shall initiate summary rule making by filing the proposed  
13 summary rule with the council and the secretary of state for publication in  
14 the next register. The notice filed with the secretary of state shall  
15 include the preamble.

16          C. The agency shall forward copies of the notice filed with the  
17 secretary of state pursuant to subsection B of this section to the council.

18          D. The proposed summary rule takes interim effect on the date of  
19 publication in the register.

20          E. Within ninety days after publication in the register, after  
21 consideration of any comments, the agency shall submit to the council a  
22 summary rule, preamble, concise explanatory statement and economic, small  
23 business and consumer impact statement.

24          F. The summary rule making procedures of this section are not  
25 available for rules exempted from council approval pursuant to section  
26 41-1057.